IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 27478 of 2007(U)

PETITIONER:

K.D.RAJMOHAN, AGED 46 YEARS,
S/O K.P.DAMODARAN, KARATTUPARAMBIL HOUSE,
MANNAM P.O., NORTH PARUR, ERNAKULAM DISTRICT.

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, DEPARTMENT OF FISHERIES & PORTS,
THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER,
HARBOUR ENGINEERING DEPARTMENT,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EXECUTIVE ENGINEER(CIVIL),
MUNAMBAM DIVISION, HARBOUR ENGINEERING DEPARTMENT,
MUNAMBAM.

4. T.B.BHASKARAN,
THUNDIPARAMBIL HOUSE, CHERANALLOOR,
ERNAKULAM DISTRICT, NOW WORKING AS U.D.CLERK,
HARBOUR ENGINEERING DEPARTMENT, MUNAMBAM.

5. K.A.SAJAN,
KOLENGANDAN HOUSE, CHALAKUDY,
TRICHUR DISTRICT, NOW WORKING AS U.D.CLERK,
HARBOUR ENGINEERING DEPARTMENT, MUNAMBAM.

6. RASEENA SEBASTIAN,
MANCHAPPILLIL HOUSE, NORTH PARUR,
ERNAKULAM DISTRICT, NOW WORKING AS L.D.CLERK,
HARBOUR ENGINEERING DEPARTMENT, MUNAMBAM.

BY ADV. SRI. BIJOY CHANDRAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI , J

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W.P.(C) NO. 27478 OF 2007

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Dated this the 14th day of September, 2007.

JUDGMENT

The petitioner, who claims to be the senior most Upper Division Clerk working in the office of the 3rd respondent, is aggrieved by Ext.P2 order by which he was deployed to the newly established sub Division of Harbour Engineering Department at Koyilandy. Ext.P1 order contemplates deployment for a period of six months. According to the petitioner, Ext.P1 order mentions that the order of deployment is intended to operate only in relation to surplus staff. There is no surplus staff in the Executive Engineer's office in Munambam Division and consequentially he ought not to have been deployed.

2. I am not inclined to interfere with Ext.P2. Obviously, the order of deployment was due to administrative exigencies. Moreover, the order of deployment seems to be for a limited period, as could be seen from Ext.P1. When the period of deployment is extended, further instructions will be issued in that regard by the Government. But, if there is personal inconvenience, it could be rectified by the Chief Engineer, without causing inconvenience to any other person. If the

petitioner seeks variation of Ext.P2 order, he may move the 2nd respondent in that regard by a representation within a period of three weeks from today. On receipt of such representation, the 2nd respondent shall look into the same and take appropriate decision in accordance with law. I make it clear that I am not expressing any opinion on the merits of the case. The 2nd respondent shall take a decision on the representation, to be filed in the manner mentioned above, within a period of one month from the date of receipt of a copy of the representation.

The writ petition is disposed of as above.

V. GIRI, JUDGE.

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